



General Assembly

Amendment

February Session, 2004

LCO No. 3661

SB0012903661SD0

Offered by:

SEN. LOONEY, 11th Dist.

SEN. ANISKOVICH, 12th Dist.

To: Subst. Senate Bill No. **129**

File No. 392

Cal. No. 288

***"AN ACT CONCERNING REGIONAL PROBATE COURT
SERVICES FOR CHILDREN'S MATTERS."***

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. (NEW) (*Effective from passage*) (a) For the purposes of this
4 section, "children's matters" means guardianship matters under
5 sections 45a-603 to 45a-625, inclusive, of the general statutes,
6 termination of parental rights matters under sections 45a-706 to 45a-
7 719, inclusive, of the general statutes, adoption matters under sections
8 45a-724 to 45a-733, inclusive, 45a-736 and 45a-737 of the general
9 statutes, claims for paternity under section 46b-172a of the general
10 statutes, emancipation matters under sections 46b-150 to 46b-150e,
11 inclusive, of the general statutes and voluntary admission matters
12 under section 17a-11 of the general statutes, as amended.

13 (b) The Probate Court Administrator shall, within available
14 resources, establish a regional children's court pilot program and may

15 establish up to six regions for the purposes of such pilot program. In
16 establishing any such region, the Probate Court Administrator shall
17 consult with the probate judges of the districts within the proposed
18 region, each of whom may participate in such pilot program on a
19 voluntary basis. Within each such region, the Probate Court
20 Administrator may establish a regional children's court in (1) any
21 existing probate court facility within a district located in such region,
22 or (2) a separate facility located in such region as may be designated by
23 the Probate Court Administrator. Such regional children's court shall
24 be established and operated with the advice of the participating
25 probate judges of the districts within such region and the
26 administrative judge of such court appointed under subsection (d) of
27 this section. Such participating probate judges and administrative
28 judge shall serve as the judges of such regional children's court, except
29 as provided in subdivision (1) of subsection (d) of this section. Such
30 judges shall hear and determine all children's matters as may come
31 before them on a docket separate from other probate matters.

32 (c) The Probate Court Administrator may, subject to the provisions
33 of section 45a-84 of the general statutes, expend moneys from the
34 Probate Court Administration Fund established under section 45a-82
35 of the general statutes, as amended, to pay for necessary
36 improvements of a facility designated as a regional children's court
37 under subsection (b) of this section, to pay operating expenses of the
38 regional children's courts and to reimburse participating towns or
39 cities for any costs of leasing office space for a regional children's court,
40 and any necessary improvements thereto, and for expenses under
41 subsection (d) of this section.

42 (d) (1) The Probate Court Administrator, with the advice of the
43 participating probate judges of the districts within the applicable
44 region, shall appoint an administrative judge for each regional
45 children's court established under subsection (b) of this section. Each
46 administrative judge shall be a probate judge at the time of such
47 appointment. If an administrative judge ceases to serve as a probate
48 judge after such appointment, such administrative judge may continue

49 to serve as administrative judge at the pleasure of the Probate Court
50 Administrator, but shall not have the powers granted to an elected
51 probate judge and shall not hear and determine children's matters
52 before a regional children's court. Subject to the approval of the Chief
53 Court Administrator, the Probate Court Administrator shall fix the
54 compensation of each administrative judge and such compensation
55 shall be paid from the Probate Court Administration Fund. Such
56 compensation, together with such administrative judge's
57 compensation as a probate judge of the district to which he or she was
58 elected, shall not exceed the compensation provided under subsection
59 (k) of section 45a-92 of the general statutes. An administrative judge
60 shall have such benefits as may inure to him or her as a probate judge
61 and shall receive no additional benefits, except for compensation
62 provided under this subdivision.

63 (2) An administrative judge shall be responsible for the
64 management of cases, coordination of social services, staff, financial
65 management and record keeping for such judge's regional children's
66 court. An administrative judge may, with the approval of the Probate
67 Court Administrator, purchase furniture, office supplies, computers
68 and other equipment and contract for services that the administrative
69 judge may deem necessary or advisable for the expeditious conduct of
70 the business of such judge's regional children's court. Such expenses
71 shall be paid in accordance with section 45a-8 of the general statutes,
72 as amended. If a separate facility for a regional children's court is
73 established pursuant to subdivision (2) of subsection (b) of this section,
74 the participating town or city shall be reimbursed for such expenses
75 from the Probate Court Administration Fund upon presentation of
76 vouchers to the Probate Court Administrator.

77 (e) An administrative judge appointed under subsection (d) of this
78 section may, with the approval of the Probate Court Administrator,
79 employ such persons as may be required for the efficient operation of
80 such judge's regional children's court. Such employees shall be
81 employees of such regional children's court and shall be entitled to the
82 benefits of probate court employees under chapter 801 of the general

83 statutes. Such employees shall not be deemed to be state employees.

84 (f) Any probate court within a region established under subsection
85 (b) of this section may transfer children's matters to the regional
86 children's court for such region. A regional children's court established
87 under said subsection may accept transfers and referrals of children's
88 matters from probate courts within its region.

89 (g) A regional children's court established under subsection (b) of
90 this section shall be considered a probate court for the purposes of
91 chapter 801 of the general statutes.

92 (h) The Probate Court Administrator shall establish policies and
93 procedures to implement the pilot program established under this
94 section.

95 (i) On or before January 1, 2005, and on or before January first of the
96 next two years thereafter, the Probate Court Administrator shall
97 submit a report concerning the pilot program established under this
98 section to the joint standing committee of the General Assembly
99 having cognizance of matters relating to the judiciary, in accordance
100 with section 11-4a of the general statutes. Each report required under
101 this subsection shall include, but not be limited to: (1) A summary of
102 the status of such pilot program; (2) the number of regions established
103 under subsection (b) of this section, the location of such regions and
104 the districts within such regions; (3) the location of the regional
105 children's courts established under said subsection; (4) the name of
106 each administrative judge appointed under subsection (d) of this
107 section and the court for which such judge is appointed; (5) the
108 number of children's matters heard in such regional children's courts;
109 (6) the expenses of such regional children's courts paid from the
110 Probate Court Administration Fund; and (7) such other information as
111 may be requested by said joint standing committee.

112 (j) Nothing in this section shall be construed to limit the authority of
113 the Probate Court Administrator to establish and fund one or more
114 pilot programs for regional children's courts under any other provision

115 of law.

116 Sec. 2. Section 45a-1 of the general statutes is repealed and the
117 following is substituted in lieu thereof (*Effective from passage*):

118 As used in section 1 of this act and sections 45a-1 to 45a-12,
119 inclusive, 45a-18 to 45a-26, inclusive, 45a-34 to 45a-56, inclusive, 45a-62
120 to 45a-68, inclusive, 45a-74 to 45a-83, inclusive, 45a-90 to 45a-94,
121 inclusive, 45a-98, 45a-99, as amended, 45a-105, 45a-119 to 45a-123,
122 inclusive, 45a-128, 45a-130, 45a-131, 45a-133, 45a-199 and 45a-202,
123 "district" means probate district."

This act shall take effect as follows:	
Section 1	<i>from passage</i>
Sec. 2	<i>from passage</i>